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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(San Joaquin)**

THE PEOPLE,

Plaintiff and Respondent,

v.

LOGAN FOREST RIDGWAY,

Defendant and Appellant.

C062784

(Super. Ct. No. LF011378A)

On May 28, 2009, defendant Logan Forest Ridgway was charged with theft from an elder by a caretaker (Pen. Code, § 368, subd. (e)--count 1) and fraudulent use of an access card (*id.*, § 484g--count 2).

On June 15, 2009, pursuant to a plea agreement, defendant withdrew his not guilty plea and entered a plea of guilty to count 2, with count 1 dismissed. The trial court granted defendant five years of formal probation with 120 days in county jail (minus eight days of credit for time served), plus the ability to apply for work release, and his fine was converted to

41 hours of community service. The court also ordered defendant to pay full victim restitution in the amount of \$6,801.97.

According to the statement of factual basis for the plea, in January 2009 defendant used a credit card belonging to an elderly person, who was in a convalescent home, without her permission. He was seen doing so on an ATM's surveillance camera, and ATM withdrawals from the victim's account corresponded to the times shown by the surveillance camera.

Defendant filed a timely notice of appeal and his request for a certificate of probable cause was granted.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

BUTZ, J.

We concur:

HULL, Acting P. J.

ROBIE, J.